

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

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|-------------------------|---|------------------------------------|
| DATAMOTION TEXAS, LLC, | § | |
| | § | |
| Plaintiff, | § | Civil Action No. 2:15-cv-00894-JRG |
| | § | <u>LEAD CASE</u> |
| v. | § | |
| COMERICA BANK, COMERICA | § | JURY TRIAL DEMANDED |
| INCORPORATED, et al. | § | |
| KAISER PERMANENTE | § | |
| VENTURES, LLC, et al. | § | Civil Action No. 2:15-cv-00893-JRG |
| Defendants. | § | <u>Consolidated Case</u> |
| | § | |

DECLARATION OF MAHESH MUCHHALA

I, Mahesh Muchhala, declare under penalty of perjury as follows:

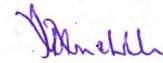
- (1) My name is Mahesh Muchhala. I am over the age of twenty-one (21) years, and I am competent to testify on the matters stated herein. I am the President and Co-Founder of Datamotion, Inc. and in charge of Finance and Human Resources. In connection with my work with DataMotion, Inc., I have personal knowledge of the facts and statements in this declaration and declare that each of the facts is true and correct.
- (2) I am a named inventor of U.S. Patent Nos. 6,684,248 and 8,447,967, both of which I understand have been asserted in the above entitled matter.
- (3) DataMotion, Inc. is the parent company of the plaintiff in this case, DataMotion Texas, LLC.
- (4) Datamotion, Inc.'s headquarters are located at 200 Park Ave., Ste. 302, Florham, NJ 07932.
- (5) All of Datamotion, Inc.'s seven-member executive team, including myself, is located in

New Jersey with the exception Clayton Greer.

- (6) All of DataMotion, Inc.'s relevant financial and human resources functions are performed from its New Jersey offices. All of Datamotion, Inc.'s relevant financial and human resources records and documents are located and maintained in its New Jersey offices.
- (7) All of Datamotion, Inc.'s documents that are relevant to this matter are located in its New Jersey offices or the offices of Plaintiff's counsel in Houston, Texas, including DataMotion, Inc.'s relevant financial and human resource documents and relevant documents relating to the assignment and/or transfer of the patents-in-suit.
- (8) All relevant documents evidencing conception and reduction to practice of the patents-in-suit are located in DataMotion, Inc.'s New Jersey offices.
- (9) All relevant documents related to the prosecution of the patents-in-suit are located in DataMotion, Inc.'s New Jersey offices or in New York in the offices of the attorneys that prosecuted the patents-in-suit.
- (10) All relevant documents related to the formation of DataMotion Texas, LLC are located in DataMotion, Inc.'s New Jersey offices.
- (11) I expect to be called as a witness in this matter. If called, I would willingly appear in the Eastern District of Texas.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 24, 2015 in Florham, New Jersey.



Mahesh Muchhala